IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION.
CRIMINAL APPLICATION No.2431/2007

Anil Waman Jadhav & 2 Ors ..Applicants.

Vs.

The State of Maharashtra ..Respondent.

Mr A.P. Mundargi i/b P.P. Runwal and Amol patankar, Advocate for the Applicant.

Mr K. V. Saste, APP for the State.

CORAM: V.C. DAGA,J.
DATED: 7.8. 2007.

P.C.:-

1. Heard learned senior counsel for the applicants and the learned APP for the State.

2. The applicants are seeking anticipatory bail in C.R.No. I-51 of 2007 registered with Padgha Police Station, Taluka Bhiwandi, District Thane, for the offence punishable under Sections 147, 148,149,307,324,323,427, 504, 506 of the Indian Penal Code. As far as the role of the applicant no.1 is concerned, it is alleged that he has caused injury by means of a sword on the head of the complainant. Medical evidence corroborates the contention in the F.I.R. So far as the applicant No. 3, Arun Hari Jadhav, is concerned, he has also caused injury resulting into the fracture of the left hand of the

complainant. Under these circumstances, there is, prima facie material against the applicant Nos. 1 and 3 to connect them with offence alleged. In this view of the matter, the applicant Nos. 1 and 3 are not entitled for bail.

3. So far as the applicant No.2 Sachin Baban Jadhav is concerned, he has not caused injury to the complainant. In this view of the matter, I am inclined to grant anticipatory bail to the applicant No.2 Sachin Baban Jadhav in the sum of Rs. 25,000/-with one or two sureties on following terms and conditions:-

a] that he should report to Padgha Police Station, taluka Bhiwandi, District Thane, once in a week i.e. on every Saturday between 3.00 to 5.00 p.m. till filing of the charge sheet.

b] the applicant shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the

Court or to any police officer;

c] the applicant shall not pressurise witnesses and that he shall co-operate with the Investigating agency, if required.

4. This order of anticipatory bail shall remain in force till the filing of the charge sheet. It would be open for the applicant to apply for regular bail before the regular Court.

5. The application is allowed in the above terms.

(V.C. DAGA,J.)